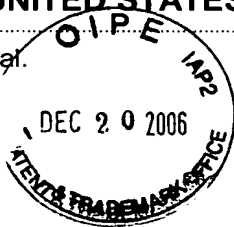


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gui-Bai Liang, et al.

Serial No. 10/566,235

Filed: January 27, 2006

For: HEXAHYDRODIAZEPINONES AS DIPEPTIDYL  
PEPTIDASE-IV INHIBITORS FOR THE TREATMENT  
OR PREVENTION OF DIABETESArt Unit: 1624Examiner: Bruck KifleCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By Pamela Spalding Date 12-12-06

**INFORMATION DISCLOSURE STATEMENT**

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

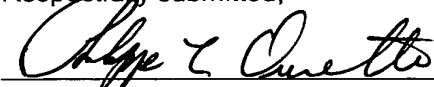
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☒ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Philippe L. Durette

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 35,125

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4568

Date: December 12, 2006

(use as many sheets as necessary)

BY APPLICANT  
DEC 20 2006  
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Sheet

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of

4

**Application Number**

10/566,235

**Filing Date**

January 27, 2006

**First Named Inventor**

Gui-Bai Liang

### Group Art Unit

1624

Examiner Name

Bruck Kifle

Attorney Docket Number

21482YP

[illegible]

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	1	PCT	WO 03/082817 A2		Merck & Co., Inc.	10/09/2003
	2	PCT	WO 03/000180 A2		Merck & Co., Inc.	01/03/2003
	3	PCT	WO 03/000181 A2		Merck & Co., Inc.	01/03/2003
	4	PCT	WO 03/000181 A3		Merck & Co., Inc.	01/03/2003
	5	PCT	WO 02/076450 A1		Merck & Co., Inc.	10/03/2002
	6	PCT	WO 2004/007468 A1		Merck & Co., Inc.	01/22/2004
	7	PCT	WO 2004/032836 A3		Merck & Co., Inc.	04/22/2004
	8	PCT	WO 2004/032836 A2		Merck & Co., Inc.	04/22/2004
	9	PCT	WO 2004/050022 A2		Merck & Co., Inc.	06/17/2004
	10	PCT	WO 2004/058266 A1		Merck & Co., Inc.	07/15/2004

**Examiner  
Signature**

Date  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**SEND TO:** Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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## STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

4

**COMPLETE IF KNOWN**

Application Number

10/566.235

**Filing Date**

January 27, 2006

**First Named Inventor**

Gui-Bai Liang

Group Art Unit

1624

Examiner Name

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Attorney Docket Number

21482YP

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	11	PCT	WO 2004/064778 A2		Merck & Co., Inc.	08/05/2004
	12	PCT	WO 02/02560 A3		Novo Nordisk A/S	01/10/2002
	13	PCT	WO 01/42262 A2		Akzo Nobel N.V.	06/14/2001
	14	PCT	WO 2004/043940 A1		Merck & Co., Inc.	05/27/2004
	15	PCT	WO 2004/007468 A1		Merck & Co., Inc.	01/22/2004
	16	PCT	WO 2004/110436 A1		Merck & Co., Inc.	12/23/2004
	17	PCT	WO 2004/112701 A2		Merck & Co., Inc.	12/29/2004
	18	PCT	WO 2004/112701 A3		Merck & Co., Inc.	12/29/2004
	19	PCT	WO 2005/011581 A2		Merck & Co., Inc.	02/10/2005
	20	PCT	WO 2005/002530 A1		Nanon A/S	01/13/2005

**Examiner  
Signature**

Date  
Considered

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Attorney Docket Number	21482YP
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Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
	21	PCT	WO 2004/069162 A2		Merck & Co., Inc.	08/19/2004
	22	PCT	WO 02/02560 A2		Novo Nordisk A/S	01/10/2002
	23	PCT	WO 01/96295 A2		Novartis AG	12/20/2001
	24	PCT	WO 01/96295 A3		Novartis AG	12/20/2001
	25	PCT	WO 01/34594 A1		Guilford Pharmaceuticals, Inc.	05/17/2001
	26	PCT	WO 00/34241 A1		Novartis AG	06/15/2000
	27	PCT	WO 98/19998 A2		Novartis AG	05/14/1998
	28	PCT	WO 98/19998 A3		Novartis AG	05/14/1998
	29	PCT	WO 97/40832 A1		Hans-Knoll-Institut Fur Naturstoff	11/06/1997
	30	PCT	WO 2003/000180 A3		Merck & Co., Inc.	01/03/2003

Date  
Considered

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